

## **REMARKS**

### **Amendments**

Claim 1 is amended to recite that the solvent is a mixture consisting essentially of methyl tris(trimethylsiloxy) silane and a petroleum-based hydrocarbon solvent. Claim 5 is similarly amended. Claims 2 and 6 are cancelled, due to the amendments to claims 1 and 5. Claims 3 and 4 are amended to correspond to the language of amended claim 1.

New claims 7-14 are directed to further aspects of applicants' claimed invention. See, e.g., page 6, lines 9-21, and page 7, lines 10-18.

### **Rejection under 35 USC §103**

Claims 1-6 are rejected as allegedly being obvious in view of Kilgour et al. (US 6,310,029). This rejection is respectfully traversed.

US '029 discloses a method for cleaning an article which comprises contacting the article with a composition containing a linear or branched, volatile siloxane. According to one aspect of the invention, the cleaning composition comprises a linear or branched, volatile siloxane and a surfactant. According to another aspect of the invention, the cleaning composition comprises a branched or linear volatile siloxane and a cyclic siloxane. See column 1, lines 34-45.

With respect to the branched or linear volatile siloxane, US '029 discloses a broad genus of compounds, i.e., those compounds which contain a polysiloxane structure having 2 to 20 silicon atoms. See column 2, lines 14-17. At column 2, lines 21-36, US '029 discloses a preferred genus of these siloxanes defined by formula (I). In addition, at column 2, line 66-column 3, line 10, US '029 discloses a group of preferred linear or branched, volatile siloxane, namely hexamethyldisiloxane, octamethyltrisiloxane, decamethyltetrasiloxane, dodecamethylpentasiloxane, tetradecamethylhexasiloxane or hexadecamethylheptasiloxane and methyltris(trimethylsiloxy)silane.

With respect to the cyclic siloxane, US '029 broadly disclose that this component can be a compound which contains a polysiloxane ring structure having 2 to 20 silicon atoms in the ring. See also formula II at column 3, lines 27-43. Preferred cyclic siloxanes are said to be octamethylcyclotetrasiloxane, decamethylcyclopentasiloxane, dodecamethylcyclohexasiloxane, tetradecamethylcycloheptasiloxane.

US '029 discloses that the surfactant component can comprise an anionic, nonionic,

Zwitterionic or amphoteric surfactant having a moiety which is soluble in the volatile siloxane component. US '029 also discloses that the surfactant can be a polyether siloxane compound of formula III. See column 4, lines 18-54.

In addition, US '029 discloses that the cleaning composition can contain a minor amount, preferably, less than 50 pbw per 100 pbw of the composition, of one or more non-siloxane fluids such as water, hydrocarbon fluids and halogenated hydrocarbon fluids.

US '029 presents 162 examples of the cleaning composition. See Tables I-XIV. In all of these examples, the branched or linear volatile siloxane is methyl terminated tetradimethyl siloxane. None of the examples employ methyl tris(trimethylsiloxy) silane as a component of the cleaning composition. In addition, all of the examples, except for examples 1, 16, 33, 46, 61, 76, 91, 106, 131, 136, 142, 147, 152, and 158, contain a polyether siloxane compounds according to formula III as a surfactant. Also, numerous examples contain decamethylcyclopentasiloxane as a cyclic siloxane component. See, e.g., examples 61-130. Further, numerous examples contain water as a further component. See, e.g., examples 3, 5, 7, 9, 13, 15, etc. None of the examples contain hydrocarbon fluids or halogenated hydrocarbon fluids as a non-siloxane fluid.

US '029 fails to provide sufficient motivation which would lead one of ordinary skill in the art to select a cleaning composition which is a mixture consisting essentially of methyl tris(trimethylsiloxy) silane and a petroleum-based hydrocarbon solvent. Although methyl tris(trimethylsiloxy)silane is listed as a possible solvent, none of the 162 examples utilize this compound as part of the cleaning composition. Moreover, none of the examples utilize a petroleum-based hydrocarbon solvent in combination with a linear or branched, volatile siloxane. Further, as noted above, most of the examples presented in US '029 contain a polyether siloxane as a surfactant. Several of the examples indicate an advantage in employing a surfactant within the cleaning composition. Compare for example, the cleaning for examples 1 and 2 and examples 16 and 17.

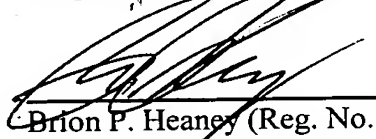
The mere ability, in and of itself, to modify the disclosure of a reference does not establish obviousness. Instead, there must be some motivation which would lead one of ordinary skill in the art to the asserted modification. In the instant case, there is no motivation presented by the disclosure of US '029 that would lead one of ordinary skill in the art to select, from all the

numerous possible embodiments encompassed within the generic disclosure, an embodiment in accordance with Applicants' claimed invention.

In view of the above remarks, it is submitted that US '029 fails to render obvious Applicants' claimed invention. Withdrawal of the rejection under 35 U.S.C. § 103 is respectfully requested.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,



Brion P. Heaney (Reg. No. 32,542)  
Attorney for Applicant(s)

MILLEN, WHITE, ZELANO & BRANIGAN, P.C.  
Arlington Courthouse Plaza I  
2200 Clarendon Boulevard, Suite 1400  
Arlington, Virginia 22201  
(703) 812-5308 [Direct Dial]  
E-mail address: [heaney@mwzb.com](mailto:heaney@mwzb.com)

Filed: November 10, 2003